

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

January 19, 2018

Before

WILLIAM J. BAUER, *Circuit Judge*
DAVID F. HAMILTON, *Circuit Judge*
SARA L. DARROW, *District Judge**

No. 17-2056

IN RE: TESTOSTERONE

REPLACEMENT THERAPY PRODUCTS
LIABILITY LITIGATION

RODNEY GUILBEAU, *et al.*,
Plaintiffs-Appellants,

v.

PFIZER, INC. and PHARMACIA &
UPJOHN COMPANY, LLC,
Defendants-Appellees.

Appeal from the United States District
Court for the Northern District of
Illinois, Eastern Division.

MDL No. 2545

Master Docket Case No. 1:14-cv-01748

Matthew F. Kennelly,
District Judge.

FINAL JUDGMENT

The district court's decisions with respect to both the defendants' preemption defense and the denial of discovery on the preemption defense are **AFFIRMED**. Due to a lack of complete diversity of citizenship, the final judgments or partial final judgments entered by the district court in the cases listed below are **VACATED** and **REMANDED** for proceedings.

* Of the Central District of Illinois, sitting by designation.

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CASES AFFECTED

Plaintiff/District Court Case No.	Plaintiff's Citizenship	Non-Diverse Defendant(s) to be Dismissed	Master Docket Document Ordering Dismissal
<u>Final Judgment Cases</u>			
Evans, Sr. Glenn E., 16-cv-3668	CA	McKesson Corporation	1824
Puryear, David, 16-cv-3650	CA	McKesson Corporation	1824
Barrett, Thomas, 16-cv-7627	MI	Pharmacia & Upjohn Company LLC	1824
Bowen, III, Clinton, 16-cv-8749	MI	Pharmacia & Upjohn Company LLC	1824
Dougherty, Michael, 15-cv-2824	MI	Pharmacia & Upjohn Company LLC	1824
Dunn, Lawrence, 16-cv-1363	MI	Pharmacia & Upjohn Company LLC	1824
Gomez, Luiz C., 16-cv-10157	MI	Pharmacia & Upjohn Company LLC	1824
Hampton, Duane, 15-cv-9564	MI	Pharmacia & Upjohn Company LLC	1824
Knight, Andre L., 16-cv-6039	MI	Pharmacia & Upjohn Company LLC	1824
Lewis, Russell, 15-cv-8889	MI	Pharmacia & Upjohn Company LLC	1824
Lockner, Steven, 16-cv-8912	MI	Pharmacia & Upjohn Company LLC	1824
Mangas, Brian, 16-cv-7617	MI	Pharmacia & Upjohn Company LLC	1824
McClerkin, Duncan, 15-Fcv-4757	MI	Pharmacia & Upjohn Company LLC	1824
Morgan, Michael, 15-cv-6038	MI	Pharmacia & Upjohn Company LLC	1824
Naragon, Robert C., 15-cv-6546	MI	Pharmacia & Upjohn Company LLC	1824

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Orzel, John F., 15-cv-11598	MI	Pharmacia & Upjohn Company LLC	1824
Patrick, Tony N., 16-cv-4578	MI	Pharmacia & Upjohn Company LLC	1824
Sawyers, Dennis, 15-cv-7590	MI	Pharmacia & Upjohn Company LLC	1824
Stapples, Herman, 15-cv-11418	MI	Pharmacia & Upjohn Company LLC	1824
Craig, Michael A., 17-cv-1451	MI	Pharmacia & Upjohn Company LLC	1969
Fleege, David, 17-cv-465	MI	Pharmacia & Upjohn Company LLC	1969
Griffith, Gary, 17-cv-558	MI	Pharmacia & Upjohn Company LLC	1969
Hitz, Frank F., 17-cv-685	MI	Pharmacia & Upjohn Company LLC	1969

Rule 54(b) Cases

Canion, Thomas, 15-cv-6448	GA	AbbVie Products LLC	1865
Henderson, Ronald E., 16-cv-1527	GA	AbbVie Products LLC	1865
Johnson, Ralph Derrell, 16-cv-1277	GA	AbbVie Products LLC	1865
Linkous, Brian K., 16-cv-7186	GA	AbbVie Products LLC	1865
Tallevast, John, 16-cv-1772	GA	AbbVie Products LLC	1865
Thompson, Roger, 16-cv-1716	GA	AbbVie Products LLC	1865
Crawford, Edward Lee, 16-cv-1397	FL	Anda, Inc.	1865
Gagnier, Peter T., 16-cv-1349	FL	Anda, Inc.	1865
Jackson, Roosevelt, 16-cv-1158	FL	Anda, Inc.	1865
King, John, 16-cv-3194	VA	Besins Healthcare Inc.	1865
Baggett, Dennie, 16-cv-7404	MI	Pharmacia & Upjohn Company LLC	1865
Coursen, Michael, 16-cv-2676	MI	Pharmacia & Upjohn Company LLC	1865
Harte, Patrick, 16-cv-3946	MI	Pharmacia & Upjohn Company LLC	1865

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Howse, Jr., John, 16-cv-1521	MI	Pharmacia & Upjohn Company LLC	1865
Sutphin, Anthony, 16-cv-4485	MI	Pharmacia & Upjohn Company LLC	1865
Barton, Terry, 17-cv-2262	FL	Anda, Inc.	1970
Coffey, Robert J., 17-cv-626	FL	Anda, Inc.	1970

The above is in accordance with the decisions of this court entered on this date. Costs are awarded to defendants.